

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Reading Division

IN RE: Elizabeth A Heimrich Aka Elizabeth Heimrich	Case No. 24-13615-pmm Chapter 13
Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc., Movant	
vs.	
Elizabeth A Heimrich Aka Elizabeth Heimrich , Debtor	

**OBJECTION TO CONFIRMATION
OF DEBTOR'S CHAPTER 13 PLAN**

Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. ("Movant"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Chapter 13 Plan* (Doc 20), and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on October 10, 2024.
2. Movant holds a security interest in the Debtor's real property located at 16 W Center St, Nazareth, PA 18064 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on November 19, 2024 (Doc 20).
4. Movant filed a Proof of Claim in this case on November 5, 2024 (Claim No. 4) which lists a total debt of \$92,686.11 and pre-petition arrears of \$43,813.44.
5. It should be noted that the Debtor's loan matures during the pendency of the Plan period.

6. The Debtor needs to address how they will be dealing with this loan that matures. The debtor must indicate whether they intend to cure the arrears, take over the taxes and insurance and pay the debt as a total debt or continue to make monthly payments.

7. The Plan includes payments toward the Note and Mortgage with Movant, however the figures used by the Debtor are inaccurate and do not conform to Movant's timely-filed Proof of Claim. The correct Total Debt due Movant is \$92,686.11, whereas the Plan proposes to pay only \$50,000.00. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.

8. Movant objects to any plan which proposes to pay it anything less than \$92,686.11 as the Total Debt over the life of the plan.

9. Movant objects to Debtor's proposed Chapter 13 Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed.

10. Based on the Schedules filed by the Debtor, the Plan does not appear to be feasible in that there is insufficient disposable income to support the proposed plan payments. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(6) and cannot be confirmed.

WHEREFORE, Movant respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Movant as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/ Mario Hanyon

Andrew Spivack, PA Bar No. 84439

Matthew Fissel, PA Bar No. 314567

Mario Hanyon, PA Bar No. 203993

Ryan Starks, PA Bar No. 330002

Jay Jones, PA Bar No. 86657

Attorney for Creditor

BROCK & SCOTT, PLLC

3825 Forrestgate Drive

Winston Salem, NC 27103

Telephone: (844) 856-6646
Facsimile: (704) 369-0760
E-Mail: PABKR@brockandscott.com

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN has been electronically served or mailed, postage prepaid on this day to the following:

Via Electronic Notice:

ROBERT GLAZER, Debtor's Attorney
26 N. Third Street
Easton, PA 18042
usbcglazer@gmail.com

SCOTT F. WATERMAN [Chapter 13], Bankruptcy Trustee
2901 St. Lawrence Ave.
Suite 100
Reading, PA 19606

United States Trustee, US Trustee
Office of United States Trustee
Robert N.C. Nix Federal Building, 900 Market Street, Suite 320
Philadelphia, PA 19107

Via First Class Mail:

Elizabeth A Heimrich
16 W. Center Street
Nazareth, PA 18064

Date: November 29, 2024

/s/ Mario Hanyon

Andrew Spivack, PA Bar No. 84439
Matthew Fissel, PA Bar No. 314567
Mario Hanyon, PA Bar No. 203993
Ryan Starks, PA Bar No. 330002
Jay Jones, PA Bar No. 86657
Attorney for Creditor
BROCK & SCOTT, PLLC
3825 Forrestgate Drive
Winston Salem, NC 27103
Telephone: (844) 856-6646
Facsimile: (704) 369-0760
E-Mail: PABKR@brockandscott.com